

**Bresnan Communications**  
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**BRESNAN**  
Communications

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September 1, 2005

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC

**Re: WC Dockets 04-36 and 05-196; Subscriber Acknowledgement Report  
September 1, 2005**

Dear Ms. Dortch:

Attached please find the September 1<sup>st</sup> "Subscriber Acknowledgement Report" for Bresnan Communications, LLC. Please feel free to contact me with any questions.

Best regards,



Jerold C. Lambert  
Associate General Counsel

Enclosure

**Bresnan Communications, LLC**  
**Subscriber Acknowledgement Report**  
**WC Dockets 04-36 and 05-196**

Bresnan Communications, LLC, submits the following Subscriber Notification and Acknowledgement Status and Compliance Report on behalf of itself and its state operating affiliates (collectively, "Bresnan or Bresnan Broadband, LLC"). Bresnan Broadband, LLC consists of wholly owned subsidiaries of Bresnan Communications, LLC, a cable television MSO. Bresnan Digital Phone offers voice communications services using a Voice over Internet Protocol ("VoIP") platform based on the DOCSIS-compliant packet cable technology.

Following are Bresnan Communications' responses to the four items that must be included in this report as set forth in the FCC's August 26, 2005 Public Notice (DA 05-2358).

***Item 1: A detailed explanation regarding current compliance with the notice and warning sticker requirements if the provider did not notify and issue warning stickers or labels to 100% of its subscribers by the July 29, 2005 deadline. Providers expected to update this information include those that were in the process of providing notice and/or stickers to their subscribers, but had not completed the process by July 29, 2005.***

**Bresnan Communications, LLC response:**

Bresnan is not required to update this item as it was in full compliance on or before July 29<sup>th</sup>.

***Item 2: A quantification of the percentage of the provider's subscribers that have submitted affirmative acknowledgements as of the date of the September 1 and September 22 reports, and an estimation of the percentage of subscribers from whom the provider does not expect to receive an acknowledgement by September 28, 2005.***

**Bresnan Communications, LLC response:**

59% of Bresnan Digital Phone subscribers have submitted an affirmative acknowledgement as of this filing. Bresnan estimates the percentage of subscribers from whom it does not expect to receive an acknowledgement by September 28, 2005 to be less than 5%. Bresnan, however, submits that it is impossible to give a reliable estimate of the percentage of subscribers from whom it does not expect to receive

acknowledgement by September 28, 2005. However, as we are required to do so in this report, we have complied.

**Item 3:** *A detailed description of any and all actions the provider plans to take towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory; and,*

**Bresnan Communications, LLC response:**

If, after exhausting all available methods to secure an affirmative acknowledgement from a customer, one is still not forthcoming, Bresnan will visit the customer to ask for an acknowledgement. If the customer refuses, Bresnan will then proceed with disconnection notification to such customer. Such notification will give them a time certain when their service will be interrupted. This will insure that they have time to replace their voice service with another non VoIP carrier.

**Item 4:** *A detailed description of any and all plans to use a “soft” or “warm” disconnect (or similar) procedure for subscribers that fail to provide an affirmative acknowledgement by September 28, 2005...A provider’s September 1 and September 22 reports must include either a statement that the provider will use a “soft” or “warm” disconnect (or similar) solution as of September 28, 2005, or a detailed explanation of why it is not feasible for the provider to use a “soft” or “warm” disconnect solution, as described above.*

**Bresnan Communications, LLC response:**

Bresnan is investigating the use of the “soft” service interruption for its non-responding customers. Because such a task is performed at the soft switch level, we do not yet know of its feasibility for our customers. At this writing, we are requesting our network partners look into this as a possible solution. We are not convinced, however, that such a solution even if feasible, technically and economically, adequately addresses the concern of the mother who is calling poison control or a teenager calling a suicide hot line for immediate assistance. These specialty numbers are not addressed in the “soft” disconnect solution. Bresnan will continue to make every effort to get its acknowledgements prior to September 29<sup>th</sup>, thereby making this discussion academic.

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